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## CITY CAN ACT ON LIQUOR CASES

A revolution in the present method of conducting prosecutions under the state liquor law will result from a decision of the supreme court rendered yesterday in the case of the city of American Fork against George D. Charlier.

The higher tribunal holds that any incorporated city in the state has the power to enact ordinances covering the same ground as the state liquor law of 1911 and to carry on its own prosecutions under that law irrespective of the county attorney.

The effect of the decision will be the immediate shifting of the city's shoulders of the burdensome responsibilities heretofore carried by the county attorney.

The opinion of the supreme court is rendered in deciding two liquor cases in Utah county, dry territory. The important ruling is made in the case of American Fork against Charlier, who was arrested charged with violating a town ordinance drawn in conformity with the state law and prohibiting the sale of liquor within the town limits. He was convicted and fined.

Appealing to the supreme court,

Charlier argued that the ordinance was invalid in that the town had no right to pass an ordinance on the same subject matter covered in the state statute. On this contention the supreme court rules as follows:

"The overwhelming weight of authority in this country is to the effect that where such powers (police powers) are conferred upon municipalities they may prohibit and punish the same acts that are prohibited and punished by the state law and may impose the same penalties imposed by the state laws if within the jurisdiction of the municipal courts."

A violation calling for a penalty beyond a \$300 fine would be beyond the jurisdiction of the municipal courts, but as a majority of the liquor law violations now handled by the county attorney through the justice courts do not exceed in penalty this limit, they fall to the province of the city. All cities and towns in the state are affected by the ruling given above.

The supreme court affirms the decision of the lower courts in the conviction and punishment of Charlier and stamps the ordinance as valid.

## GYM SHOULD BE BUILT AT SCHOOL

Editor Standard: The coming election on bonding the city for a gymnasium has brought forth considerable comment from several citizens. Those who have gone so far as to put their opinions before the public seem to favor the building of a gymnasium on the City Hall Square.

Kindly permit the opinion of one from the Ogden High school student body. We need the gymnasium, need it badly, but we likewise need it on the school grounds. The "gym" is needed as a department of the regular school and as such must be adjacent to the school. Gymnasium work is not beneficial unless done systematically and under the supervision of a competent instructor. If the building were on the school grounds gymnasium work could be taken by the several classes and would be equivalent to a regular subject. If the gymnasium were on the City Hall Square the classes could not take regular and systematic work, for on account of the distance between the square and the High school students could not attend until after school hours and this would contribute to a lack of attendance and non interest. Now if gymnasium work is beneficial it must be given systematically, and for the convenience of the various schools, classes must be so arranged as not to interfere with the regular school work. If the "gym" is located on the City Hall Square instruction could not be given systematically without interfering with the regular school work.

The City Hall Square is not a good location for another reason. It is in the heart of the commercial district and where the influence is not the best for young children. How many mothers would feel safe in allowing their children to come in contact five times a week with the very elements and influences that they seek to keep them from? For the High school

students it is not so bad (but remember this "gym" if built, is for all the schools) and for every High school student there are a score or more younger children who will attend.

Now for the citizens' interests in the "gym." I wish to state here, first, that the student body of the High school is watching with intense interest the attitude of the citizens and greatly appreciates their work and interest in the proposed gymnasium.

It has been stated that if the "gym" is built "way off up there" on the other hand it seems to me that this would be the best location for the public, for the High school is in the heart of the residence district on the bench and after business hours when the public could use the "gym" they are closer to it there than down town on the square. The people who live on the out-skirts of the city proper are accustomed to use street cars and a matter of a few blocks from Twenty-fifth and Washington to the High school is immaterial to them. The lot at the back of the High school building is large enough to be used for the "gym" and this alone is an argument in favor of this location. A building on the City Hall Square would spoil the park that Ogden is so proud of.

One thing more, if the "gym" is built let it be a gymnasium and not a department store.

(Signed) ALBERT GREENWELL

## RAY O'DONNELL IN BORROWED CLOTHES

Boise, Ida., April 30.—Ray O'Donnell of Ogden, a newly married linotype operator, is finishing his honeymoon in borrowed raiment. O'Donnell has about 200 friends and they all gathered Thursday after the ceremony to give him that sort of homage which comes to a bridegroom. Fleeing from the friends, O'Donnell fled into a stagnant pond, ruining his wedding clothes. Like bonds on the scent, the friends took up the chase, but O'Donnell rejoined his bride, evaded the friends, borrowed a suit of clothes, and escaped in a speedy automobile.

## DECISIONS BY SUPREME COURT

Two opinions were handed down by the supreme court yesterday, one reversing and the other affirming the judgments of the lower courts.

In the case of Frank L. Butterfield, who sued in vain to recover \$10,000 commission for sale of bonds for the Consolidated Fuel company, the higher court rules with the district court that the plaintiff has no cause for action. Butterfield alleged that he entered into an agreement with the fuel company to find for it a purchaser for its first mortgage bonds. Under this agreement he contended that he obtained a purchaser for \$400,000 worth of the bonds in July, 1911. He demanded the \$10,000 commission agreed upon.

The coal company denied the claim and answered that the purchaser of

the bonds had come to Salt Lake and entered into the deal independently of the negotiations conducted by the plaintiff. This contention is upheld by the supreme court.

The second opinion was given in the case of Mary B. Rohwer against George E. Burrell and Martin V. Rohwer. The plaintiff sued to cancel a release on a real estate mortgage and to cancel the power of attorney held by Burrell. She alleged that the defendants had conspired to defraud her. The district court dismissed the action and Mrs. Rohwer appealed. The supreme court reverses the judgment and remands the case to the district court with instructions to enter judgment in favor of the plaintiff.

## Granted Insurance After Lung Trouble

As many cases of Lung Trouble start with a cold or a cough, the best advice that can be given is to get rid of the cold or cough as quickly as possible. Otherwise more serious troubles are likely to follow. If the medicines you are now taking do not bring relief, try Eckman's Alternative, the remedy for Throat and Lung Troubles, which has stood the test of time. Investigate this case:

237 Dean St. Brooklyn, N. Y.  
"Dear Sirs: About a year and a half ago my health rapidly failed until at the end of six months my weight had fallen to 129 pounds. I was troubled with night sweats, a severe cough and was very weak. About this time I consulted a physician, who told me my lungs were affected. Not satisfied, I went to another doctor, who, after examining me, said that I was in the first stages of consumption. At this point I started to take Eckman's Alternative. The night sweats stopped almost immediately, my cough became looser and gradually disappeared. My weight is now 142 pounds and my physician has pronounced me perfectly sound—which, together with the fact that I have been accepted by two different insurance companies for insurance, makes me sure of my entire recovery by Eckman's Alternative."

(Affidavit) W. E. GEE.

(Above abbreviated; more on request.)

Eckman's Alternative has been proven by many years' test to be most efficacious in cases of severe Throat and Lung Affections, Bronchitis, Bronchial Asthma, Stomach Colds and in building the system. Does not contain narcotics, poisons or habit-forming drugs. For sale by A. R. McIntyre, Badon's Pharmacy, T. H. Carr, Culley Drug Co., Marshall Drug Co., Cave Drug Co. and other leading druggists. Write the Eckman Laboratory, Philadelphia, Pa., for booklet telling of recoveries and additional evidence. (Adv.)

## CHILD CULTURE CLUB ELECTS OFFICERS

At the annual election of officers of the Child Culture club, held yesterday afternoon, Mrs. J. T. Lynch was elected president. The other officers are as follows:

Mrs. H. M. Barrows, vice president; Mrs. George Glenn, secretary; Mrs. Archie Bowman, corresponding secretary; Mrs. E. O. Watts, treasurer; Mrs. S. L. Riser, librarian; Mrs. Nellie Eccles, Mrs. John Farr and Mrs. C. H. Stevens, members of the membership committee.

The committee working on a program for Mothers' day reported favorable progress and will make a complete report soon.

Past President Mrs. S. S. Smith, read the annual report in which the past successful year has reviewed in brief.

## A \$37,000.00 SHOW IN OGDEN TONIGHT

Cohan and Harris spent thirty-seven thousand dollars on scenery and costumes to equip the court of "The Red Widow." This was considered a mere trifle. If the show had been a failure the firm stood to lose a hundred thousand dollars. However, the investment has been a profitable one, and a handsome dividend has already been declared. It requires four sixty-foot baggage cars to transport the effects of the colossal Russian play, and three Pullmans to accommodate the members of the company. The daily expense amounts to a thousand dollars. The company will appear at the Orpheum tonight. (Adv.)

## DAIRYMEN ARE TO INCORPORATE

Utah dairy producers decided last night at their meeting in the Commercial club in Salt Lake to incorporate their co-operative association June 1 for \$50,000, provided that by that time 10 per cent of the holdings of membership is pledged for immediate payment and \$5,000 is raised. The capitalization will be on the basis of \$10 a share. The dairymen estimate that 5,000 cows supply the local market and that members are entitled to stock in the association according to the number of cows they own.

Members of the executive committee will start out at once in their districts, signing up dairymen in the association and securing contracts for the sale of all their milk and other dairy products through the association. The plan is for the association to sell direct to the dealers.

It was decided, however, that dairymen who have retail businesses of their own may continue such without jeopardizing their membership in the association. They do not need to sign the milk contracts, but will participate in the co-operative buying of hay and other supplies by the association.

The association will not begin operations until June 1, when it is expected to have \$5,000 cash on hand and milk contracts from all members. The activities of the committeemen until that time will be in securing these contracts and pledges, after which the

association will be incorporated. Payment for shares in the association, after the initial 10 per cent has been contributed, will become due at the call of the executive committee. Should this body deem use of a considerable sum necessary at any time, it will call a meeting of association members.

Should the dealers in milk and dairy products decline to buy from the association and pay the association prices, there is talk of establishing a selling depot by the association—but this is purely tentative as no difficulty in disposing of the combined products of the members on the co-operative basis is anticipated.

The association is as yet manned by a temporary organization, comprising the executive committee. C. W. Palmer is chairman of this committee. Ben R. Eldredge, a Davis county member, tendered his resignation from the committee last night on the ground that he did not have the time to devote to the work. The committee will appoint another member from Davis county.

## "BUDWEISER BEER"

We have the genuine "Budweiser" beer on draught at the Diamond Bar. Only place in town you can get it on draught. 240 25th Street.

## ROAD BUILDING IN WEBER COUNTY

Road building again is in full blast in the northwestern part of the county and a force of men are busy crushing rock at the point of the mountain near the Hot Springs for the macadam roads of Kanab and other sections. The rock crusher is turning out about 100 tons of material each day and the rock is being transported to the roads over the Oregon Short Line.

Commissioner M. Skeen states that the work will be prosecuted during the entire summer months, the expectation being that more macadam road will be built this year than ever before, notwithstanding the fact that a number of miles were built last year. Weber is the banner county of the state in road-building.

## COLD WEATHER IN OGDEN VALLEY

It is reported from Huntsville today that ice formed on the ponds and still water in the creeks last night. The temperature in Ogden was not near the freezing point.

While considerable plowing has been done in the valley, many acres are yet untouched, due to the lateness of the season and the moist condition of the lands. The season in the valley is fully two weeks later than in Ogden. Buds of the ornamental trees in Huntsville are just beginning to swell.

## DIVORCE SUIT IS BASED ON CRUELTY

Yesterday afternoon, Mary E. Arbergast filed a suit for divorce in the district court against Henry Arbergast, claiming that the defendant has been extremely cruel to her during their short period of married life.

The petition avers that the parties were married February 12, 1913, and that soon after the nuptials the defendant became abusive and cruel. On March 1, 1913, the plaintiff, the defendant struck her with his fists and called her bad names, telling her that he would not live with her. She further states that Henry threatened to strike her with a "quart bottle" and that he applied some of the meanest epithets to her that could be used.

Aside from divorce, Mrs. Arbergast asks for her maiden name, Mary E. Bowe, \$25 a month alimony, attorney fees and costs of the suit.

## A. E. PECK DIES ON PACIFIC COAST

Word has been received in Ogden that A. E. Peck, a pioneer railroad man, a former resident of Ogden, died April 24 at his country home in Reedley, Cal., of chronic Bright's disease.

"Ed" Peck, as he was familiarly known, began his railroad career in 1877 and had been one of the most reliable engineers in the employ of the Southern Pacific company. He had been head of the local No. 55, Brotherhood of Locomotive Engineers.

He left his work in 1911 to take a rest at his ranch, but upon his arrival there, the disease took a firm hold and he never went back to the road.

He is survived by his wife and three sons, Clarence Peck of Roseville, Cal., Claud D. Peck of Salt Lake and Floyd Peck of San Francisco.

## Society

DAUGHTERS OF PIONEERS.  
The monthly meeting of Company D, Daughters of the Pioneers, was held yesterday afternoon at the home of Mrs. S. T. Whitaker, 867 Twenty-third street.

## Flood Sufferers Receive New Sewing Machines

THOUSANDS of flood and tornado sufferers who lost their homes and belongings have received, absolutely without cost to them, the latest model of—

## The FREE SEWING MACHINE

They were fortunate enough to own The FREE, the only sewing machine in the world that is protected against flood, tornado, accident, breakage, etc.

The entire country has been shocked at the loss of life and the much greater loss of property caused by the recent tornado and floods. Practically no insurance was carried on this property, and therefore it is a total loss to the owner. With one exception, The FREE Sewing Machine Company, because of its liberal policy, absolutely protects the buyer of each machine against floods and tornadoes, as well as fire, breakage, etc., for a period of five years. Therefore, while thousands of people lost practically everything they owned, they have been presented with the latest model The FREE sewing machine to replace the one lost with their homes.

The FREE Sewing Machine, the Greatest of the 20th Century, is on Exhibition at our Store

We will be pleased to show you its dozens of unusual features, and explain how thoroughly you are protected if you own a The FREE machine.

READ some of the grateful letters received from a few of the thousands that have had their machines replaced, without one cent of expense, by The FREE Sewing Machine Company.

This is to acknowledge receipt of sewing machine sent to replace the one that I lost. I wish to thank you for your promptness. I assure you that I will do everything that I can in the future to spread the fame of The FREE machine.

Again, thanking you for the treatment that I have received, I remain,  
Yours respectfully,  
A. B. EPTING

I wish to thank you for the new sewing machine that I have just recently received, which is to replace the one destroyed by cyclone. Many thanks for the prompt attention that you have given this matter.

I will always be glad to say a good word for the FREE machine.  
Yours truly,  
MRS. PEARL EARNHART.

was the reading and discussion of Chapter 2 of Tullidge's History of Utah, the discussion bringing to the minds of those present, many incidents in the early settlement of Weber county, with which the chapter deals.

The visit of Eliza R. Snow to the Holy Land in her 70th year was also rehearsed in a brief reading.

Miss Edna Kohn rendered two piano solos with pleasing effect and the reading of the poem "What Mother Means to Me," composed by Alonzo West, by Mrs. Barnard White, completed the interesting program.

The company were afterwards entertained with a social hour by Mrs. Whitaker, which included the service of a dainty luncheon by the Misses Edna Kohn and Florence and Beatrice Whitaker.

Mrs. Sadie West of the general board and the following members of Company D, were present:

Mrs. Mesdames, Barnard White, Martha Wright, Jane Kershaw, Marion Johnson, Eliza Jackson, Charlotte Tillotson, Elizabeth Kohn, Nona M. Lowe, Alice Brooks, Eliza Rawson, Alice

Summerill, Mary Hutchins and S. T. Whitaker.

The afternoon was similarly enjoyed by the other eight companies at their different meeting places, the second chapter of Tullidge's History of Utah, being the principal topic of discussion.

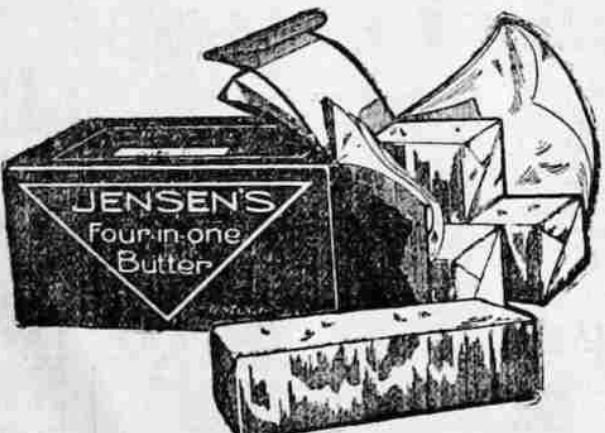
FRATERNAL BROTHERHOOD

The last of the dancing parties given by the Fraternal Brotherhood will take place Monday evening, May 12, in Eagles' hall. A fine musical program has been arranged and the usual happy, informal good time will be enjoyed.

Mrs. Harry A. Beauverd returned Monday from an extended visit with her parents, Mr. and Mrs. I. W. Lansing of Fort Lauderdale, Fla. Mrs. Beauverd visited in Washington, D. C., on her way home.

If a man is too proud to beg and too honest to steal, what business has he in politics?

Four Separate Prints  
All Ready for Table Use



## A Superb Butter

No Better Butter Produced in America  
--Your Grocer Will Supply You

### Madam

Do you realize what a vast difference there is between "Jensen's Four-in-One" and other butters? You may not detect any difference in appearance. But let a chemist make a test and the differences will show up plainly.

### To Insure Purity

At our creamery, we maintain a complete milk laboratory. Every ounce of cream is tested. Our standards are high. Famous Danish experts established them. Cream must be of the highest quality to pass these standards. That which passes the proving tests is pasteurized before being made into butter.

### Costly Protection

This testing and pasteurizing of all cream is expensive.

Jensen Creamery Company, Ogden

It costs us over \$15,000 each year. We are not compelled to be so particular.

But we believe the public is entitled to pure butter.

And we supply it in—

### Jensen's Four-in-One Butter

By Buying this butter you get the purest butter known. And it's rich and tasty. The novel "pack" of four prints to the package makes it convenient and economical.

It is folly to take chances when you can buy Jensen's Four-in-One Butter.

Remember the name, and make sure that the next butter you buy is Jensen's Four-in-One Butter.

All grocers sell it.